

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 05-0535-CV-C-DW
)	
UNITED STATES CURRENCY IN)	
IN THE AMOUNT OF \$9,130.00,)	
)	
2001 GMC YUKON DENALI 1500,)	
VIN: 1GKEK63U71J272627,)	
)	
2003 DODGE RAM 2500 QUAD CAB,)	
VIN: 3D7KU28C53G809555,)	
)	
and)	
)	
2004 DOOLITTLE TRAILER)	
VIN: 1DGCS30234M055671,)	
)	
Defendants.)	

ORDER OF PARTIAL JUDGMENT OF FORFEITURE

Plaintiff, United States of America, has moved this Court for entry of a partial judgment of forfeiture for the following defendant properties: the 2001 GMC Yukon Denali 1500, VIN: 1GKEK63U71J272627, the 2004 Doolittle Trailer, VIN: 1DGCS30234M055671, and United States currency in the amount of \$9,130.00. Plaintiff has shown that there was reasonable cause for seizure of the defendant properties, that a complaint for forfeiture was filed, that all known potential claimants were served with process, and that any and all other claimants have been served by publication.

A claim was filed by Jacob M. Kennon for the 2001 GMC Yukon Denali, the 2004

Doolittle Trailer, and the United States currency in the amount of \$9,130.00. Connie A. Hicks, Mr. Kennon's mother, filed a claim for the 2003 Dodge Ram, VIN: 3D7KU28C53G809555. Jefferson Bank of Missouri filed a claim for the 2001 GMC Yukon Denali 1500, VIN: 1GKEK63U71J272627, as a lienholder to the vehicle.

In a plea agreement, executed by the United States and Jacob M. Kennon in criminal case, United States v. Jacob M. Kennon, No. 06-04029-CR-C-NKL, (W.D. Mo.), Mr. Kennon agreed to forfeit all of the properties identified in the forfeiture allegation of the Superseding Indictment, which are the same as the defendant properties in this case. The Plea Agreement also included a factual basis for the forfeiture of all the defendant properties. However, based on testimony at the plea hearing on March 12, 2007, by Mr Kennon that he was only agreeing to forfeit his interest in the property and that others might have an interest, and the continued pendency of the claim by Mrs. Hicks for the 2003 Dodge Ram, the Court is entering a judgment of forfeiture only against the other three properties as requested by the Government's motion.

Claimant Jefferson Bank of Missouri entered into a stipulation with the United States regarding the forfeiture of the 2001 GMC Yukon Denali 1500, VIN: 1GKEK63U71J272627, which is hereby APPROVED.

The claim filed by Connie A. Hicks and the forfeiture of the 2003 Dodge Ram will continue. In order to facilitate the continuation of this forfeiture proceeding against the 2003 Dodge Ram, the stay of this forfeiture action is hereby lifted.

No other potential claimant has filed a timely claim to the defendant properties. Therefore, it is hereby

ORDERED, ADJUDGED AND DECREED:

(1) that a partial judgment of forfeiture is hereby entered against the following defendant

properties: the 2001 GMC Yukon Denali 1500, VIN: 1GKEK63U71J272627, the 2004 Doolittle Trailer, VIN: 1DGCS30234M055671, and the United States currency in the amount of \$9,130.00;

(2) that all persons claiming any right, title or interest in or to the above-listed defendant properties are held in default;

(3) that all claims and interests in the above-listed defendant properties are forever foreclosed and barred;

(4) that the above-listed defendant properties are hereby forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(6);

(5) that the above-listed defendant properties shall be disposed of according to law;

(6) that the Clerk of the Court shall enter a judgment consistent with this order; and

(7) the stay previously ordered on January 12, 2006, is hereby lifted and the parties to the forfeiture of the 2003 Dodge Ram can continue this forfeiture proceeding with respect to that property.

SO ORDERED, this 6th day of June, 2007.

/s/ DEAN WHIPPLE
DEAN WHIPPLE
United States District Judge